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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/607,971	06/30/2003	Yoshikazu Kobayashi	040447-0250	6957

22428 7590 06/26/2006

FOLEY AND LARDNER LLP  
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EXAMINER
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JAMAL, ALEXANDER

ART UNIT	PAPER NUMBER
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2614

DATE MAILED: 06/26/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/607,971

Applicant(s)

KOBAYASHI ET AL.

Examiner

Alexander Jamal

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 30 June 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☐ Claim(s) \_\_\_\_\_ is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 112*

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. **Claims 1-20** rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As per **claims 1-20**, each claim references 'identification/determination means'.

It is not clear whether these are the same means or two separate means. For the purpose of examination, examiner assumes that 'identification/determination means' has been changed to 'determination means'.

Additionally, as per **claim 3**, the claim recites, 'identifying/determining that the numbers are a telephone number when a part of the numbers is preset numbers and the first preset number of digits and numbers followed by the part of the numbers are the second preset number of digits'. It is not clear what the claim is referring to. For the purpose of examination, examiner assumes the claim means that the device determines that a phone number has been scanned by recognizing a predetermined number followed by another set of variable digits, where there is a predetermined number of variable digits.

3. Regarding **claims 17-20**, the phrase "such as" renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See

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MPEP § 2173.05(d). For the purpose of examination, examiner assumes the telephone number that is substituted in place of the recognized one is any valid type of telephone number in any communications system.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. **Claims 1-20** rejected under 35 U.S.C. 102(e) as being anticipated by Herzig et al. (6594503).

As per **claim 1**, Herzig discloses a telephone system with an OCR device that recognizes telephone numbers written (printed or handwritten) on a sheet (Abstract, Col 2 lines 20-25). The numbers are recognized by being continuous with a recognized character code (Col 2 lines 30-35) such as the <http://www...>, or other indicators (Col 2 line 65 to Col 3 line 5). The system comprises display means (Col 4 lines 30-55) where a user may verify then cal (DIAL) the recognized number.

As per **claim 2**, claim rejected for the same reasons as the claim 1 rejection.

As per **claim 3**, claim rejected for the same reasons as the claim 1 rejection. The device may recognize a known part of a number (Col 2 lines 35-40) such as the '0611'

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example given, and then further recognize a variable combination (as represented by the ellipsis). The combination inherently has a known number of digits depending on the type of telephone number being detected as per the defined protocol for the type of phone number.

As per **claim 4**, claim rejected for the same reasons as the claim 1 rejection. The system can detect hyphens as part of the recognized phone number (Col 2 lines 55-65).

As per **claims 5-8**, the detected number is displayed and can either be dialed (confirmed) or rejected, which permits a user to correct the number (such as by scanning the number in again) (Col 4 lines 40-60).

As per **claims 9-12**, the detected number may be stored to a telephone directory memory (Col 2 lines 55-60).

As per **claims 13-16**, since the device allows users to store detected telephone numbers, the users may sequentially dial the stored telephone numbers (to sequentially make calls).


As per **claims 17-20**, the device may detect a certain number and then replace the detected number with another telephone number, such as an internet address or name that is replaced by an ip address or prestored telephone number (Col 2 lines 30-40).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alexander Jamal whose telephone number is 571-272-7498. The examiner can normally be reached on M-F 9AM-6PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis A Kuntz can be reached on 571-272-7499. The fax phone numbers for the organization where this application or proceeding is assigned are **571-273-8300** for regular communications and **571-273-8300** for After Final communications.

AJ  
June 21, 2006

  
CURTIS KUNTZ  
PATENT EXAMINER  
JULY CENTER 2000